



*City Hall ♦ 333 West Ellsworth Street ♦ Midland, Michigan 48640-5132 ♦ 989.837.3300 ♦ 989.835.2717 Fax ♦ [www.midland-mi.org](http://www.midland-mi.org)*

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## **Chapter 16. Municipal Utilities**

### **Sec. 16.1. General powers respecting utilities.**

The city shall possess and hereby reserves to itself all the powers granted to cities by the constitution and general laws of the State of Michigan to acquire, construct, own, operate, improve, enlarge, extend, repair, and maintain, either within or without its corporate limits, public utilities, including but not by the way of limitation, public utilities for supplying water, light, heat, power, gas, and sewage treatment, and garbage disposal facilities, or any of them, to the municipality and the inhabitants thereof; and also to sell and deliver water, light, heat, power, gas, and other public utilities and services without its corporate limits to an amount not to exceed the limitations set by state law and constitution.

Constitution reference--Utilities generally, Art. VII, § 24.

### **Sec. 16.2. Rates.**

The Council shall have the power to fix, from time to time, such just and equitable rates as may be deemed advisable for supplying the inhabitants of the city and others with water, with electricity for light, heat, and power and with such other utility services as the City may provide.

### **Sec. 16.3. Utility charges; collection.**

The Council shall provide, by ordinance, for the collection of all public utility charges made by the city and for such purpose, shall have all the power granted to cities by Act 178 of the Public Acts of 1939. When any person or persons, or any firm or corporation, shall fail or refuse to pay to the city any sums due on utility bills, the utility service or services upon which such delinquency exists may be shut off or discontinued and suit may be instituted by the city for the collection of the same in any court of competent jurisdiction.

### **Sec. 16.4. Accounts.**

Separate accounts shall be kept for each public utility owned or operated by the city, distinct from other city accounts, and in such manner as to show the true and complete financial result of such city ownership or operation, or both, including all assets, liabilities, revenues, and expenses. They shall show as nearly as possible, the value of any service furnished to or rendered by any such public utility by or to any other city department. The Council shall annually cause to be made a report showing the financial results of such city ownership or operation, or both, which report shall give for each utility, the information specified in this section, and such further information as the Council shall deem expedient. Such report shall be on file in the office of the Clerk for public inspection.

### **Sec. 16.5. Disposal of plants.**

The city shall not sell, exchange, lease, or in any way alien or dispose of the property, easements, income or other equipment, privilege or asset belonging to and appertaining to any utility which it may acquire, unless and except the proposition for such purpose shall first have been submitted, at an election held for the purpose in the manner provided in this charter, to the

electors of the city who are qualified to vote on questions involving the direct expenditure of money or the issuance of general obligation bonds of the city and approved by them by a three-fifths (3/5) majority vote of the electors voting thereon. All contracts, negotiations, licenses, grants, leases or other forms of transfer in violation of this provision, shall be void and of no effect as against the city. The provisions of this section shall not, however, apply to the sale or exchange of any articles of equipment of any city-owned utility as are worn out or useless, or which could, with advantage to the service, be replaced by new and improved machinery or equipment.